

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**JAMES MCCUTCHEON, AND ALL OTHER
SIMILARLY SITUATED UNDER 29 USC
216(B),**

Plaintiff,

v.

STAPLES, INC.

Defendant.

Civil Action No. 3:15-cv-365

JURY TRIAL DEMANDED

PLAINTIFF'S NOTICE OF DISMISSAL

Plaintiff James McCutcheon files this notice of dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), and in support provides the following:

1. Defendant has been served with process and has not served an answer or a motion for summary judgment.
2. This case is not a class action under Federal Rule of Civil Procedure 23, a derivative action under Rule 23.1 or an action related to an unincorporated association under Rule 23.2.
3. A receiver has not been appointed to this case.
4. This case is not governed by any federal statute that requires a court order for dismissal.
5. Plaintiff has not previously dismissed any federal or state court suit based on or including the same claims as those in this case.
6. All Defendants named in this cause of action, including Staples, Inc. and Staples Contract and Commercial, Inc. are dismissed from this case.

7. This dismissal is without prejudice.

Dated: March 26, 2015

Respectfully submitted,

By: /s/ Jack Siegel
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Certificate of Service

On March 26, 2015, I electronically submitted the foregoing document with the clerk of the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all counsel of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Jack Siegel